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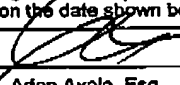
PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/797,486	
	Filing Date	March 10, 2004	
	First Named Inventor	Matthew A. Smith et al.	
	Art Unit	3724	
	Examiner Name	P. Nguyen	
Total Number of Pages in This Submission	14	Attorney Docket Number	JK-01261

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Black & Decker Inc.		
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Printed Name	Adan Ayala, Esq.		
Date	October 23, 2006	Reg. No.	36,373

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Typed or printed name	Adan Ayala, Esq.	Date	October 23, 2006

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Serial No. 10/797,486

Amend. In Resp. to Off. Act. of Aug. 1, 2006

UTILITY PATENT

B&D No. JK01261

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Matthew A. SMITH et al.**

Serial No.: 10/797,486

Examiner: **P. Nguyen**

Filed: **March 10, 2004**

Group Art Unit: **3724**

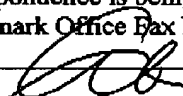
For: **OPTICAL PROXIMITY DEVICE FOR POWER TOOLS**

Assistant Commissioner for Patents

Washington, DC 20231

**AMENDMENT**

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this  
correspondence is being facsimile transmitted to the Patent and  
Trademark Office Fax No. (571) 273-8300 on 10-23-06

  
Adan Ayala

Dear Sir:

In response to the Office Action of August 1, 2006, please amend the above-identified  
application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this  
paper.

**Remarks** begin on page 9 of this paper.